

DOCKET NO: 245673US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
HIROYUKI SAKUYAMA, ET AL. : EXAMINER: DAND, D.  
SERIAL NO: 10/717,674 :  
FILED: NOVEMBER 21, 2003 : GROUP ART UNIT: 2624  
FOR: CODING AND DECODING OF :  
IMAGE DATA WITH ADDITIONAL  
INFORMATION

PROVISIONAL ELECTION OF SPECIES

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction dated July 2, 2007 Applicants provisionally elect with traverse Species I, corresponding to Figure 9 and Claims 2 and 19.

Applicants traverse the outstanding requirement as the outstanding requirement has not established that a serious burden would be required if the requirement was not issued and if all the claims in the application were examined together. More particularly, MPEP §803 states:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the Applicants respectfully traverse the outstanding Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single species be withdrawn, and that a full examination on the merits of Claims 1-34 be conducted.

Should the Examiner deem that a personal or telephone interview would be of assistance in advancing this application toward allowance, he or she is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

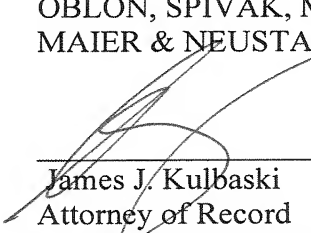
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



---

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Andrew T. Harry  
Registration No. 56,959